

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Yoshihiro HORIUCHI : **Mail Stop: PCT**
Serial No. 10/500,218 : Attorney Docket No. 2004_0979A
Filed June 25, 2004 :

HYDROXAMIC ACID DERIVATIVE AND
MMP INHIBITOR CONTAINING THE SAME
AS ACTIVE INGREDIENT

[Corresponding to PCT/JP02/13580
Filed December 26, 2002]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication (*for U.S. National applications filed after June 30, 2003 and International applications that have entered U.S. National Stage after June 30, 2003*),
- ☐ each reference previously cited in the international application PCT/_____; and/or
- ☐ each reference previously cited in prior parent application Serial No. _____.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification

after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Yoshihiro HORIUCHI

By Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicant

WMC/ck
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 10, 2004

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 10, 2004

ATTY DOCKET NO.
2004_0979ASERIAL NO.
10/500,218APPLICANT
Yoshihiro HORIUCHIFILING DATE
June 25, 2004

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,817,404	10/1998	Kawakita et al.			
	AB	5,863,949	01/1999	Robinson et al.			
	AC	5,932,595	08/1999	Bender et al.			
	AD	6,087,359	07/2000	Getman et al.			
	AE	6,087,392	07/2000	Reiter			
	AF	6,107,337	08/2000	Robinson			
	AG	6,153,609	11/2000	Robinson et al.			
	AH	6,156,798	12/2000	Reiter			
	AI	6,303,636	10/2001	Robinson, Jr. et al.			
	AJ	6,417,229	07/2002	Sahagan et al.			
	AK	6,673,804	01/2004	Kimura et al.			
	AL	6,713,477	03/2004	Scarlato et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AM	00/63165	10/2000	WO			Corresponds to EP1171422
	AN	98/43963	10/1998	WO			
	AO	0895988	02/1999	EP			
	AP	98/50348	12/1998	WO			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	
--	----	--

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.